

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

<p>S.A., Next Friend Angi Allen; L.A., Next Friend Angi Allen; H.B., Next Friend Julie Beaner; Ad.S., Next Friend Bryan Schave and Brandi Schave; Al.S., Next Friend Bryan Schave and Brandi Schave; S.D., Next Friend Jennifer Degroot and Philip Degroot; A.L., Next Friend Nathan Leuning; M.B., Next Friend Joseph Bilderback; M.D., Next Friend David Denson; M.W., Next Friend Eugene Ware and Marsha Ware; KA, Next Friend Cathy Anderson; R.T., Next Friend Luke Tibbetts and Bobbie Tibbetts</p> <p style="text-align:center">Plaintiffs – Appellees</p> <p style="text-align:center">vs.</p> <p>Sioux Falls School District 49-5</p> <p style="text-align:center">Defendant – Appellant</p> <p>Jane Stavem, in her official capacity as Superintendent; Casey Meile, in his official capacity as Coordinator of Athletics for the Sioux Falls School District No. 49-5</p> <p style="text-align:center">Defendants</p>	<p style="text-align:right">Case No. 23-3401</p> <p style="text-align:center">NOTICE OF METHOD OF APPENDIX PREPARATION AND DESIGNATION OF RECORD</p>
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Appellant Sioux Falls School District 49-5, by and through counsel, hereby notices that counsel for the parties have conferred and agreed to submit a joint appendix. The joint appendix will include the following docket entries (inclusive of exhibits):

<u>Docket No.</u>	<u>Date Filed</u>	<u>Item</u>
1	09/12/2023	Complaint
3	09/12/2023	Motion for Temporary Restraining Order and Preliminary Injunction
4	09/12/2023	Memorandum in Support of Motion for Temporary Restraining Order and Preliminary Injunction

5	09/12/2023	Affidavit in Support of Motion for Temporary Restraining Order and Preliminary Injunction
14	09/21/2023	Stipulation
15	09/22/2023	Order Approving Stipulation
17	09/29/2023	Response to Motion for Temporary Restraining Order and Preliminary Injunction
18	09/29/2023	Affidavit of Jane Stavem in Opposition to Motion for Temporary Restraining Order and Preliminary Injunction
19	10/05/2023	Reply to Response to Motion for Temporary Restraining Order and Preliminary Injunction
20	10/05/2023	Affidavit of Eric Van Beek in Support of Motion for Temporary Restraining Order and Preliminary Injunction
21	10/05/2023	Affidavit of Kevin Knapp in Support of Motion for Temporary Restraining Order and Preliminary Injunction
22	10/05/2023	Affidavit of Les Coin in Support of Motion for Temporary Restraining Order and Preliminary Injunction
24	10/05/2023	Affidavit of Angi Allen in Support of Motion for Temporary Restraining Order and Preliminary Injunction
26	10/13/2023	Memorandum Opinion and Order Granting Preliminary Injunction
27	10/27/2023	Notice of Appeal
30	11/03/2023	Transcript of October 10, 2023 hearing

Dated at Sioux Falls, South Dakota, this 8th day of November, 2023.

DAVENPORT, EVANS, HURWITZ &
SMITH, L.L.P.

/s/ Reece M. Almond

Reece M. Almond
206 West 14th Street
P.O. Box 1030
Sioux Falls, SD 57101-1030
Telephone (605) 336-2880
Facsimile (605) 335-3639
ralmond@dehs.com

Attorneys for Appellant